

Meeting:	Cabinet
Meeting date:	16 June 2016
Title of report:	Hereford relief road (Hereford bypass)
Report by:	Cabinet member infrastructure

Classification

Open

Key decision

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function to which the decision relates and because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the county

NOTICE has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Wards affected

Wards directly affected by the Hereford bypass are likely to be Stoney Street, Belmont Rural, Credenhill, Whitecross, Kings Acre, and Queenswood

Purpose

To seek approval to commence work to develop Hereford relief road (Hereford bypass) in support of proposals within the adopted Core Strategy in the context of the overall transport strategy for the city

Recommendation(s)

THAT:

- (a) funding of £600k be approved to support works necessary to inform route selection; and**
- (b) authority be delegated to the assistant director environment and place to take all operational actions necessary to progress the Hereford bypass to route selection within the resources (including external funding) available**

Alternative options

- 1 An option for proceeding with the Hereford growth proposals without the provision of a bypass was considered and discounted during the Core Strategy process. The development proposed for Hereford in accordance with the spatial strategy would cause significant additional traffic congestion if there were no substantial

improvements to the city's transport infrastructure. Analysis of the impact of the no-road scenario against the proposed development options indicated a significant detrimental effect on the operation of Hereford's highway network.

- 2 As such, there are no alternative options to the recommendations in this report. Hereford Bypass has been identified as necessary infrastructure in the adopted Local Transport Plan (2016-31) ("LTP") and is required to enable the planned growth of Herefordshire in accordance with adopted Herefordshire Local Plan Core Strategy (2011-31) ("the Core Strategy").
- 3 The rate of housing delivery and supply will be assessed through the annual monitoring process. If the delivery of the Hereford bypass is not prioritised to achieve the growth targets set out in the Core Strategy, housing delivery would have to be reviewed to consider alternative delivery arrangements.

Reasons for recommendations

- 4 The Hereford bypass is a key piece of infrastructure identified in the council's LTP and forms an essential part of the Hereford transport package which is outlined in this strategy. To enable the housing and employment growth objectives set out in the Core Strategy, the section of the bypass, connecting the southern link road with the junction of the A438, and the subsequent connection to the A49 trunk road must be in place by 2027. Approval of the recommendations will enable work to proceed with the development of route options, environmental and transport surveys and consultation on route options.

Key considerations

Background

- 5 The Hereford relief road, widely known as the Hereford bypass and therefore referred to in this way for the remainder of this report, is a key infrastructure project that is necessary to drive the economic growth of Hereford and the region. It is identified as a priority within the LTP and Core Strategy and also within the Marches Strategic Economic Plan. It has also been a key theme within the emerging economic masterplan for Herefordshire.
- 6 For many years discussions have taken place regarding the merits of providing a north to south bypass for the city of Hereford to address traffic problems within the city and allow it to grow. Indeed, proposals for an eastern route bypass were developed in the 1990s by the then Highways Agency but were rejected by a public inquiry. Since then, considerable work has been undertaken to examine the issue and identify how best to enable Hereford to grow and fulfil its role as a sub-regional centre. The background work to the Unitary Development Plan (UDP) for Herefordshire (1996-2011) recognised the excessive congestion on the A49 trunk road through Hereford and recommended further work to identify the options for a bypass connecting the north and south sections of it. The Herefordshire UDP was adopted in 2007.
- 7 The bypass scheme was identified as a regional priority in the West Midlands Regional Funding Advice to Government in 2009. Further studies, in 2009 and 2010, reiterated the need for a bypass and concluded that sustainable transport measures alone would not solve Hereford's traffic issues.
- 8 The preferred option for Hereford was published for consultation in September 2010

and it included a western bypass along with a package of sustainable transport measures. The supporting analysis again concluded that whilst sustainable transport measures improved the performance of the network, it was only in combination with a bypass that they provided the network capacity necessary to support the required growth. Furthermore, the western alignment was preferred over an eastern alignment, due to the likely significant impacts on the River Lugg Site of Special Scientific Interest (SSSI), a major tributary of the River Wye Special Area of Conservation (SAC), and the Lugg Meadows SSSI, contrary to European Habitat Regulations, national policy, and local policy affording their protection.

- 9 To address issues that were raised during the consultation and to reflect additional technical work undertaken, a revised preferred option for the Local Development Framework Core Strategy was published (September 2011). It set out a revised package of development and infrastructure measures for Hereford, and continued to include a western alignment for a bypass. This was based on further examination of traffic flows and consideration of modified alignments to the east of the city. However, a revised eastern alignment did not provide for a full bypass and the associated economic benefits, would not have enabled the full realisation of sustainable transport measures in the city, and still posed a potential for likely significant effects on the River Wye SAC.
- 10 The western bypass corridor was included in the draft Core Strategy (March 2013), retained in pre examination updates, and then submitted to the Secretary of State for Examination (September 2014). The likelihood of delivery of the bypass during the Plan period to 2031 and the implications for planning growth in the identified Urban Expansion Areas were the delivery of the bypass to be delayed, was a key consideration during the Examination process. The inspector's report was published in September 2015 and proposed further modifications, including a policy amendment to align the pace of delivery of transport and movement infrastructure with that of housing provision.
- 11 The Core Strategy was adopted in October 2015 and commits the council (in policy SS3) to work with developers and other stakeholders to ensure the timely development of these strategic proposals and the key infrastructure requirements.
- 12 A Hereford bypass will increase traffic capacity to allow the city to grow with more homes and jobs. It will enable full delivery of Herefordshire's Core Strategy housing (6,500 in Hereford and 16,500 county wide) and employment allocations (6,059 jobs), including those at the Hereford Enterprise Zone and the Three Elms employment site, which can only be achieved with a Hereford bypass and its complementary package.
- 13 It will also enable the improvement of the A49 trunk road through the city, providing an alternative route for freight and other long distance traffic, accommodating more local transport needs. The bypass is an integral part of the LTP. It will form part of a Hereford Transport Package of schemes which will support initiatives to improve access to and within the central area, encourage more active travel within the urban area through increased supply of pedestrian, cycling and bus networks, supporting safer routes to school, and tackling poor air quality that results from high levels of congestion and heavy good vehicles in the city. As such the scheme will also make a significant contribution to health and wellbeing objectives.
- 14 The bypass will also support the local and wider regional economy. The Marches Local Enterprise Partnership (LEP) recognises that one of the barriers to economic growth is poor transport infrastructure. Alongside investment to improve public transport, the LEP identifies investment in highway infrastructure to reduce congestion in Hereford as a key priority investment area in the 'Marches Local

Enterprises Partnership Strategy for Growth' (2013-2022). The Hereford Bypass is identified as a priority project for 2016/17 in the 'Marches Local Enterprises Partnership Strategic Economic Plan' (March 2014). The Marches LEP has recently approved the submission of a bid to the Department for Transport Large Local Major Transport Schemes fund to support the development of the Hereford bypass as part of the overall Hereford transport package.

- 15 Hereford has also been identified as part of an 'intensive growth corridor' linking Birmingham with Worcester, Hereford, and South Wales. Significant investment has already been made by the Welsh Government in delivering the Heads of the Valley A465 dualling project. Herefordshire Council, as part of the Midlands Connect partnership of LEPs and local authorities across the Midlands, is highlighting the constraints on economic growth of slow connectivity on the rail network and slow journeys on the road network, and making the case for investment in infrastructure on the basis of wider economic benefits to the Midlands regions. As part of this initiative the council must advance the business case for the Hereford bypass.
- 16 The adopted Core Strategy anticipates that the southern link and river crossing will be required by 2022. The delivery of the Hereford bypass, linking the southern link road with the A49 trunk road in the north, is identified as infrastructure required by 2027, in order not to hold up/delay the delivery of 4800 homes (Appendix 5 of the adopted Core Strategy - SS3: Necessary Infrastructure for Strategic Sites).

What Needs to Happen to Progress the Bypass?

- 17 In order to meet the timescales required to deliver the bypass, work needs to progress to develop the Hereford transport package and business case in order to attract capital funding, to begin the definition and appraisal of different road alignments, and to consult on those options. The critical path activities required to deliver the Hereford bypass by 2027 are set below with indicative timescales.

Option Appraisal	June to August 2016
Options Consultation	October 2016
ES Scoping Report	February 2017
Preferred Alignment Consultation	September 2017
Preferred Alignment Decision	December 2017
Outline Business Case	April 2018
Development Consent Order (DCO) Application Submitted to the Planning Inspectorate (PINs)	June 2018
Examination	October 2018 to April 2019
DCO Decision	October 2019
Construction Phase 1 Bypass (SLR to A438)	May 2020 to March 2022
Phase 1 Bypass Open	March 2022
Phase 2 Bypass Open (A438 to A49)	2027

- 18 In addition to the benefits associated with economic and housing growth, the scheme will enable a more reliable and safer route for traffic currently using the A49 through Hereford and the wider region. It will:

- Significantly improve currently extended and unreliable journey times for traffic on the A49 trunk road through Hereford. The A49 experiences heavy congestion and low network speeds on a daily basis, passing on significant cost to existing major businesses such as Heineken and Cargill, along with the large numbers of smaller businesses in and around the city.
 - Replace a section of the A49 which has a poor safety record with a route built to current design standards and so reduce accident costs to Highways England.
 - Provide enhanced network resilience - one main river crossing carrying 45,000 vehicles per day currently leads to low network resilience with the result that extensive queues develop following an incident anywhere on the strategic network
- 19 A number of key tasks are required to take the scheme forward. First, design development of route alignments options needs to be undertaken. The adopted Core Strategy identifies an indicative 'Relief Road Corridor' within which the Bypass could be located (Figure 4.2 Hereford Key Diagram – https://www.herefordshire.gov.uk/media/3712733/section_4_place_shaping.pdf). This corridor is based on engineering, transport, and environmental appraisal undertaken in a Study of Options (August 2010) and will form the basis of a review of alignment alternatives.
- 20 The adopted Core Strategy (policy HD3) requires that the bypass is designed and developed in such a way which avoids and mitigates adverse impacts or physical damage to or loss of habitats, noise pollution and vibration, light pollution, air pollution, flood risk and water quality on the River Wye Special Area of Conservation, as well as residential amenity and business interests. Consideration of the impact of the road on heritage assets, their significance and setting, as well as the historic character of the wider landscape will also be required. Access arrangements and connections to the western urban expansion (Three Elms) and the northern urban expansion (Holmer West) will also be taken into account in defining route alignment options. All options will require the construction of a major viaduct and bridge span to cross the River Wye and its floodplain. Architectural advice will be included within the project team to advise on key design decisions that may impact on the landscape quality and views.
- 21 In parallel with the development of the route options, a package of complementary measures will be developed aimed at increasing levels of walking, cycling and bus use in the city, particularly for short distance 'intra-city' journeys.
- 22 Secondly, route appraisal of the alignment options and complementary measures is required to support the development of the business case for government funds, inform the council's investment decisions, and provide a robust basis for consideration of alternatives required under the environmental impact assessment regulations. The appraisal of route options for the bypass will be undertaken in accordance with Department of Transport (DfT) Transport Analysis Guidance (WebTag), a multi criteria decision framework used to appraise transport projects and proposals. The analysis will include appraisal of how the bypass and complementary measures will change patterns of travel (choice of origin and destination; frequency; distance), patterns of social activity (work and leisure) and impact on the environment. Having measured the impacts of the bypass, and the complementary measures when they have been identified, the appraisal will draw them together in a cost benefit analysis.
- 23 Thirdly, local communities, statutory consultees and other stakeholders must to be
Further information on the subject of this report is available from Mairead Lane, Head of infrastructure delivery on Tel (01432) 260944

engaged in and consulted on the development of the design and alignment of the bypass and complementary measures. Paragraphs 40-42 of this report set out the proposed approach to consultation. Subject to the cabinet approval sought in this report, it is anticipated that a first round of consultation on route options would commence in October 2016. A second round of consultation on the preferred option would commence in June 2017, prior to a further cabinet decision to select a preferred option.

- 24 Fourthly, the route to secure planning consent must be determined. If the bypass meets certain size thresholds and criteria, it must be treated as a Nationally Significant Infrastructure Project (NSIP) under the provisions of the Planning Act 2008 and the council must make an application for a Development Consent Order (DCO), which will be submitted to the Planning Inspectorate and determined by the Secretary of State for Transport. Paragraphs 32-37 sets out the legal considerations in this regard.

Community impact

- 25 The bypass is a significant transport infrastructure element of the Hereford transport strategy, linked to the promotion of social progress (by supporting housing needs), economic prosperity (by supporting new jobs, area regeneration, and business), and environmental quality (lessening the harmful impacts of traffic growth, providing an alternative route for the movement of Heavy Goods Vehicles (HGVs), and freeing up space for pedestrians and cyclists). The delivery as part of a Hereford Transport Package will enable active travel measures to be implemented to deliver benefits to communities within the city.
- 26 The bypass will enable the delivery of new homes and communities in the western urban expansion (Three Elms). The development of this area will include associated community infrastructure including a new linear park, an extension to Whitecross High School, small scale retail, health provision, sports facilities, along with a park and choose site, new bus, pedestrian and cycle links.
- 27 The bypass will also enable the delivery of new homes and communities in the northern urban expansion (Holmer West). The development of this area will include provision of open space and allotments, improvements to existing schools, a park and choose site, and new walking and cycle routes.
- 28 The re-routing of traffic, particularly HGVs, from the Hereford city centre, will benefit those living and working near the A49. However, there will be adverse effects on residents living near the proposed route. Given that the land within the bypass corridor is largely rural and suburban, there are likely to be adverse noise impacts and increases in the level of air pollution. The technical work will develop options to mitigate adverse impacts on residential amenity in line with Core Strategy policy (HD3 Hereford Movement).

Equality duty

- 29 In taking forward the route options for the bypass and in consultation with local communities, the council will pay due regard to the public sector equality duty under the Equalities Act 2010.

Financial implications

30 The estimated cost of development work required to inform a decision on the preferred alignment for the bypass and associated business case is £3.25m. The costs of this development work are being sought through a bid for funds under the DfT's Local Majors Transport Fund, summarised in the table below. The aim of the fund is to provide funding for large, transformative, local schemes that are too big to be taken forward within Local Growth Deal allocations and might not otherwise be funded. A total of £2.65m is being sought from the DfT to develop the business case for Hereford bypass and complementary measures. Herefordshire Council will make a local contribution of £0.6m towards the development of the business case from existing budget for the scheme.

	2016/17 £m	2017/18 £m	TOTAL £m
Funding sought from DfT large local majors fund	1.95	0.70	2.65
Local funding	0.30	0.30	0.60
TOTAL	2.25	1.00	3.25

31 If funding is not awarded through the Department for Transport Local Major Transport Schemes process, the council would need to consider whether to allocate further funding and / or include the scheme within future revisions of the capital programme.

Legal implications

32 The route to secure planning consent is to be determined through discussion with the DfT, and will be subject to further legal advice.

33 If the bypass meets certain size thresholds and criteria, it must be treated as a Nationally Significant Infrastructure Project (NSIP) under the relevant provisions of the Planning Act 2008 (as amended), and the council must make an application for a Development Consent Order (DCO), which will be submitted to the Planning Inspectorate (PINs) and determined by the Secretary of State for Transport. If the project is classed as an NSIP the council cannot be the determining authority for a planning application.

34 As mentioned in the Risk Management section of the report below, any consultation on the choice of route should be "robust", in order to reduce the possibility of a judicial review challenge.

35 One of the determinants of whether the bypass is an NSIP is whether the Secretary of State will be the highway authority for the road. It is understood that, whilst Highways England accept the likely benefits to the strategic highway network of the bypass and recognise that, at some future date, the bypass should take the place of the current relevant part of the A49 trunk road within the strategic road network, to facilitate delivery of the objectives set out in the council's LTP, it has not yet been agreed or accepted that the Secretary of State will be the highway authority for the bypass.

- 36 It is understood that this criteria may be met if, at any point up to completion and operation of the road, the Secretary of State does decide to adopt the road, as part of the Strategic Road Network. Given that the bypass would be connecting the A49 trunk road in the south with the A49 in the north, and the future aspiration to de-trunk the existing A49 as it passes through Hereford, it is understood that it is felt likely that the bypass will eventually become part of the Strategic Road Network.
- 37 It is anticipated that further consideration will be given, including guidance from the DfT, in determining whether the bypass is an NSIP.

Risk management

- 38 A risk register has been prepared for the Hereford bypass and will be reviewed regularly during the progress of the scheme. Risks will be reported to and mitigation actions agreed in accordance with the council's risk management policies.
- 39 Residents and statutory bodies could bring successful challenge during the course of the planning application for the bypass, if the council does not carry out a robust appraisal process of the alignment alternatives. This risk will be managed through the commissioning of engineering, transport planning, and environmental professional services (WSP Parsons Brinckerhoff), challenged and reviewed by an adequately resourced project team within the council and its delivery partner Balfour Beatty Living Places. The route appraisal will be carried out and documented in accordance with DfT Transport Analysis Guidance (WebTAG). Compliance with this guidance will be monitored at key stages in the project.
- 40 The need for significant investment in transport infrastructure is recognised by the council, the LEP, and Highways England. It is possible that the current economic climate and the reliance on various funding sources to deliver the road may affect the timing and deliverability of the bypass. The risks associated with uncertainty of funding will be managed through applications for government funding, consideration of phased delivery of the road, the development of a robust business case, and ongoing regional partnership work through both the LEP and Midlands Connect to secure funds from central government. The council, through the Midlands LEP, are currently applying for funds to develop the business case for the bypass and complementary measures under the DfT's Local Major Transport Schemes. If secured, this will be a significant step forward in progressing the bypass and complementary measures.

Consultees

- 41 The Core Strategy and the LTP which include proposals for a Hereford bypass (defined as a corridor within which the road could be built) have been subject to public consultation. The Core Strategy was also subject to an examination process, including public hearings. The council has committed to showing the detailed alignment of the road in the Hereford Area Plan (HAP) and to close working with key statutory stakeholders in preparing the HAP.
- 42 In compliance with DfT guidance for Stage 1 and 2 assessments, initial route options for the Hereford bypass that are included in the 2010 bypass studies were subject to consultation with statutory consultees. However, further public consultation is necessary. Two rounds of public consultation are planned to be undertaken prior to making any planning application – a first consultation to be undertaken on the route and complementary measures, and a second consultation exercise to be undertaken on the preferred alignment and complementary measures, prior to the council's

approval of the package.

- 43 In addition to the two formal rounds of formal consultation on route options, there will be engagement with statutory consultees undertaken during the route appraisal process. This will include consultation with Highways England on transport modelling, developing the business case and establishing the required design standards; consultation with Historic England discuss options to avoid adverse impacts on heritage assets, including the setting of listed buildings; consultation with Natural England to agree the approach to the Habitats Regulation Screening Assessment and Environmental Impact Assessment; and the Environment Agency to discuss matters in relation to watercourses and flood risk, particularly design requirements for the River Wye. The process will also enable the views of ward members and parish councils to be gathered and considered.

Appendices

None

Background papers

- None identified